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February 28, 2023

Via ECF

Hon. John L. Sinatra, Jr.
United States District Court Judge
Robert H. Jackson United States Courthouse
2 Niagara Square
Buffalo, New York 14202

RE: Doyle, et al. v. James
Case No. 23-CV-071-JLS

Dear Honorable Judge Sinatra:

As I believe the Court is aware, this office represents the defendant, Attorney General Letitia James, in the above captioned matter. Defendant James intends to file a Motion to Dismiss and I write to request that we be allowed to exceed the twenty-five-page brief limit pursuant to the requirements under Local Rule § 7(a)(2)(C). The basis of this request is the complicated factual allegations, spanning freedom of speech, expressive association, race, religion, and political affiliation, and the importance of the legal issues involved.

To start with, the Complaint is approximately twenty pages long and contains eighty-six paragraphs, along with the Prayer for Relief. In addition to specifically alleging four causes of action, including First Amendment retaliation, defamation/libel *per se*, violations of New York Civil Rights Law and negligence, Plaintiffs also make passing reference to other statutes, such as Title II and the New York City Human Rights Law.

We believe that Defendant James has meritorious challenges to Plaintiffs' four causes of action. To adequately respond to each of these claims and Plaintiffs' sundry allegations, while including a preliminary statement and statement of facts, Defendant James intends to raise numerous defenses, including, but not limited to, jurisdictional defenses unrelated to service of process, numerous immunity defenses, and defenses provided for in the Federal Rules of Civil Procedure. In order to do so, Defendant will need to exceed the twenty-five-page limit.

For these reasons, we respectfully request that Defendant be allowed to file a brief of up to forty-five pages in length (excluding the cover page, tables of contents and tables of authorities). We will, of course, do our best to succinctly state our arguments and limit the size of the brief as much as possible.

Thank you for your kind attention in this matter.

Respectfully submitted,

/s/ Stephanie Joy Calhoun

STEPHANIE JOY CALHOUN
Assistant Attorney General

SJC/mow

cc via ECF filing: Tricia S. Lindsay, Esq.